

**DECISION MEMORANDUM**  
**LUTZ ADVENTURE TOURS**  
**NEPA # AZ-GO20-20015-0020 CX**

U.S. Department of the Interior  
Bureau of Land Management  
Tucson Field Office

**Project Description**

Issue a Special Recreation Permit (SRP) for use of public lands administered by the Bureau of Land Management in connection with commercial guided all-terrain vehicle (ATV) tours, in accordance with the approved operating plan in Exhibit A and Map 1, subject to all applicable terms, conditions and stipulations in Exhibit B, and subject to the Special Stipulations in Exhibit C.

The term of the SRP will be 5 years, with year round use. All motor vehicle use is limited to existing roads, and primitive roads identified in the Middle Gila Canyons Travel and Transportation Management Plan. Parking for staging activities and temporary stops will occur on existing disturbed areas and parking turnouts.

**Approval and Decision**

Based on a review of the project described in the attached Categorical Exclusion documentation and Field Office staff recommendations, I have determined that the project is in conformance with the Phoenix Resource Management Plan (approved in 1989) and is categorically excluded from further environmental analysis. It is my decision to approve the action as described in the Operating Plan and Map 1, and subject to the terms, conditions and stipulations in Exhibit B, and Exhibit C.

**Administrative Review or Appeal Opportunities**

This decision is in full force and effect as of the date approved.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

The notice of appeal must be filed by postal mail, personal delivery, or Fax; notices will not be accepted by email or other electronic means.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

/s/ Karen Simms  
Karen Simms, Acting  
Tucson Field Manager

9/25/2015  
Date

Attachment: Form 1842-1